

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

S1 15 Cr. 637 (KAM)

EVAN GREEBEL,

Defendant.

STIPULATION & ORDER

WHEREAS, Defendant Evan Greebel is currently appealing his conviction in the United States Court of Appeals for the Second Circuit, *United States v. Greebel*, 2d Cir. No. 18-2667;

WHEREAS, the Court terminated the Writ of Continuing Garnishment issued to Charles Schwab & Co., Inc. on December 19, 2018, *see* Dkt. No. 706;

WHEREAS, the Clerk of the Court has issued Writs of Continuing Garnishment directed to Merrill Lynch, Pierce, Fenner & Smith, Inc. (“Merrill Lynch”), and Charles Schwab Retirement Plan Services (“Charles Schwab”) on November 19 and December 19, *see* Dkt. Nos. 695, 705, and the government may move for additional writs of continuing garnishment to other potential garnishees (collectively with Merrill Lynch and Charles Schwab, “Potential Garnishees”);

WHEREAS, Mr. Greebel moved the Court via a consent motion for an extension of time to, *inter alia*, file any objections to the Writ of Continuing Garnishment directed to Merrill Lynch on the ground that the government and Mr. Greebel intended to hold any garnishment proceedings in abeyance, apart from the filing by the Potential Garnishees of any responses or answers, pending resolution of Mr. Greebel’s appeal, *see* Dkt. No. 699;

WHEREAS, the Court granted the consent motion in relevant part and extended the deadline for Mr. Greebel to file any objections to the Writ of Continuing Garnishment directed to

Merrill Lynch and Merrill Lynch's response thereto (Dkt. Nos. 702, 707) to February 11, 2019, through an order entered on the docket on December 19, 2018; and

WHEREAS, the government and Mr. Greebel have reached the conclusion that it is preferable to hold garnishment proceedings in abeyance, except as provided in paragraph (3) below, to avoid undue complications and to facilitate Mr. Greebel's participation in the proceedings;

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned parties that:

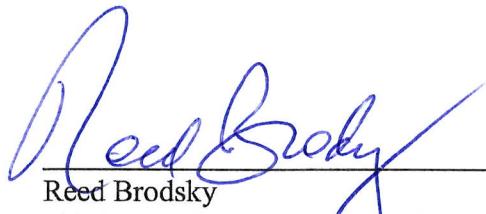
(1) All proceedings regarding the Writ of Continuing Garnishment directed to Merrill Lynch shall be held in abeyance.

(2) All proceedings regarding any Writs of Continuing Garnishment directed to any other Potential Garnishees shall be held in abeyance except for: (1) the filing by the Potential Garnishees of any responses or answers; and (2) the assertion by the government of an objection or response, if any, to the Potential Garnishees' answer.

(3) The proceedings regarding any Writs of Continuing Garnishment directed to any other Potential Garnishees shall be commenced again with the filing of objections and/or the request for a hearing by Mr. Greebel, which shall be due twenty (20) days after the issuance of the mandate by the Second Circuit in *United States v. Greebel*, 2d Cir. No. 18-2667.

(4) Any hearing regarding any Writs of Continuing Garnishment or any order regarding the disposition of Mr. Greebel's interest in the subject of the Writs of Continuing Garnishment shall be postponed while the proceedings are held in abeyance and await consideration of any objections or requests filed by Mr. Greebel.

Dated: New York, New York
January 16, 2019



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Dated: Brooklyn, New York
January 16, 2019

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IT IS SO ORDERED.

Date: _____, 2018

HON. KIYO A. MATSUMOTO
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I, Reed Brodsky, hereby certify that a true and correct copy of the foregoing document was filed via the Court's ECF system and will be electronically served on all counsel of record.

Dated: January 16, 2019

/s/ Reed Brodsky

Reed Brodsky